REMARKS

The final Office Action of August 6, 2004 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1 and 29 have been amended. Support for the amendment to claims 1 and 29 can be found at page 20, line 6, to page 21, line 8; page 31, line 26, to page 32, line 8, and Figures 1 and 3. Further support for claim 29 can be found on page 34, lines 18-19.

Claims 1-5, 8-12, 22-24, and 26-31 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hennig (U.S. Patent No. 6,587,827).

The object of the present invention is to improve the efficiency of traditional business dealings wherein intermediate distributors, e.g. dealers or window contacting customers, closely linked to individual customers, are involved. On the other hand, the system of Hennig is intended to link customers and suppliers <u>directly</u> *without* intermediary distributors.

For instance, the client computer 10 ("client") and network server 12 ("server") disclosed by Hennig are not equivalent to distributor-side equipment (P2) of the present invention wherein each equipment is assigned to dealers or wholesalers in the existing business transaction system. Rather, the client 10 and the server 12 of Hennig play a role similar to a computer system (CS) of the present invention. The manner of selecting a "preferred supplier" is described in column 5, line 49, to column 6, line 13, of Hennig:

i.   Order from customer is inputted into the client 10;

ii.   The client 10 receives the input from the customer and determines a preferred supplier for the merchandise ordered;

iii.   The server 12 directs the order event created by the client 10 to the selected supplier;

iv.   The server 12 also monitors the status of the order event.

Second, Hennig does not teach or suggest using the claimed database which stores "registered customer IDs and respective merchandise distribution routes through which each of plural sorts of merchandise ordered by each of the customers is delivered to the customer; the merchandise distribution routes being determined by the distributors and suppliers selected".

Moreover, the client 10 of Hennig never selects "intermediate distributors" intervening between customers and suppliers since Hennig has no intermediate distributors.

Nevertheless, even if the client 10 and the server 12 could be considered "intermediate distributors", there is no opportunity to select an intermediate distributor based on customer ordering merchandise or the ordered merchandise/merchandise category. More specifically, Hennig is not concerned with which of the client 10 equipment should be utilized depending on the ordered merchandise. Similarly, the function of server 12 is determined almost automatically according to the location of the suppliers, as shown in Fig. 1 of Hennig (Again, the server 12 merely acts as a router which directs the order event to the supplier. That is, there is no need to choose the server 12 depending on the customer or the ordered merchandise).

For example, if a plurality of different customers places an order for the same merchandise supplied by the same supplier, the same server 12 should function to monitor each order event from the different customers, instead of using (selecting) a server which differs among customers.

In contrast to Hennig, in the present invention, the supplier and distributor (i.e., merchandise distribute route) who should handle transactions are selected depending on customer ID (i.e., person who orders merchandise) and merchandise/merchandise category ordered. Thus, even when the same merchandise supplied by the same supplier is ordered from a plurality of different customers, the system selects the most appropriate, convenient intermediate distributor for each individual customer. This is also advantageous to customers receiving services such as maintenance of the ordered merchandise, delivery of options or replacements, etc, which are often handled by the intermediate distributors like dealers or retailers. In addition, the system may select suppliers which are different from customer to customer. Moreover, an appropriate merchandise distribution route can be selected for each of the merchandise ordered even if a plurality of the merchandise is ordered at once.

The claims were amended to further recite first and second ordering means. According to the claimed arrangement, distributors (e.g. dealers or window contacting customers) can receive orders for merchandise without taking any special measures, thereby saving human labor and cost required for transactions while retaining advantages of the traditional business transaction system wherein the intermediate distributors are involved. In addition, since the merchandise distribution route appropriate for each customer's intended merchandise is preset and stored in a database and automatic orders can be forwarded to both of the distributors and the suppliers on the preset merchandise distribution route, it is possible for the distributors or the suppliers to provide the ordered merchandise to the user as quickly as possible.

Hennig does not teach each and every element of the instant claims as required under 35 USC 102 and withdrawal of the instant rejection is requested.

The remaining claims stand rejected over Hennig in view of a variety of prior art that allegedly describes features of the dependent claims: Chelliah (U.S. Patent No. 5,710,887); Haymann (U.S. Patent No. 5,365,046); Loghmani (U.S. Patent No. 6,377,927); DiAngelo (U.S. Patent No. 6,101,482); Fisher (U.S. Patent No. 6,047,264); Ortega (U.S. Patent No. 6,489,968); Andrews (U.S. Patent No. 6,285,986); and Martin (U.S. Patent No. 5,809,479).

Hennig does not teach or suggest the claimed invention as recited by claims 1 and 29 for the reasons described above and hereby incorporated by reference. The secondary references are used for features in the dependent claims. However, none of the secondary references remedy the defects of Hennig.

Chelliah does not teach or suggest merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer, nor that the routes are separated for each of plurality sorts of merchandise items or services ordered by a customer. Chelliah describes an "Order Fulfillment Legacy System 130" in column 17, lines 22-30, item (iv), but provides no description of how the shipment of the selected products to the customer is performed. Thus Chelliah does not remedy the defects of Hennig.

Haymann is directed to a method of validating credit cards and is unrelated to merchandise distribution or business transaction routes allowing involvement of intermediate

distributors intervening between a supplier and a customer. Thus Haymann does not remedy the defects of Hennig.

Loghmani is directed to a voice-optimized database system relating to shopping for items on the internet. Loghmani is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Loghmani does not remedy the defects of Hennig.

DiAngelo is directed to a universal shopping cart for on-line transaction processing. DiAngelo is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus DiAngelo does not remedy the defects of Hennig.

Fisher is directed to automatically updating the status of customer's orders and shipments via electronic mail. Fisher is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Fisher does not remedy the defects of Hennig.

Ortega is directed to a system that identifies popular nodes within a browse tree based on historical actions of online users. Ortega is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Ortega does not remedy the defects of Hennig.

Andrews is directed to a method of interactive, automated registration, negotiation and marketing for combining products and services from one or more vendors together to be sold as a unit. Andrews is not related to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus Andrews does not remedy the defects of Hennig.
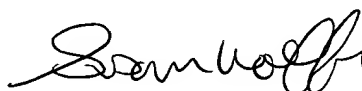
Martin is directed to a computer system to set and report product delivery dates based on the customers desired delivery date. The customers preferences are kept in a computer, e.g. the supplier. Martin is not directed to merchandise distribution or business transaction routes allowing involvement of intermediate distributors intervening between a supplier and a customer. Thus, Martin does not remedy the defects of Hennig.

Withdrawal of the instant rejections is requested.

CONCLUSION

In view of the above amendments and remarks, withdrawal of the rejections and issuance of a Notice of Allowance is requested.

Respectfully submitted,

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